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O R D E R

On September 6, 2005, the undersigned filed a Recommendation recommending that the defendant's motion to dismiss be denied. (Doc. # 16). On September 13, 2005, the defendant filed objections to the Recommendation of the Magistrate Judge. (Doc. # 17). Upon consideration of the defendant's objections, and for good cause, it is,

ORDERED that the Recommendation entered on September 6, 2005, be and is hereby WITHDRAWN.

Done this 7th day of February, 2006.

/s/Charles S. Coody
CHARLES S. COODY
CHIEF UNITED STATES MAGISTRATE JUDGE